## IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

VINCENT ZIRKER	)	
Plaintiff(s)	)	
	)	
v.	)	Case No. 3:15-0724
	)	Judge Sharp/Frensley
SOUTHERN HEALTH PARTNERS,	)	
ET AL.	)	
Defendant(s)	)	

## REPORT AND RECOMMENDATION

This is a pro se prisoner action raising claims under 42 U.S.C. § 1983. Plaintiff's Complaint was filed June 26, 2015. Docket No. 1. The Court notes that the Scheduling Order entered on August 25, 2016, has been returned to the Clerk's Office in the months of September and October as "Undeliverable", "Insufficient Address", "Undeliverable/Refused", "Undeliverable – Released 7/22/16". Docket Nos. 45-49. Nothing has been filed by the Plaintiff since April 25, 2016.

Therefore, the undersigned recommends this action be dismissed without prejudice for failure to prosecute and failure to keep the Clerk's Office informed of his current address.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this

Recommendation. See Thomas v. Arn, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), reh'g denied, 474 U.S. 111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

JEFFERY S. FRENSLEY

United States Magistrate Judge